

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 67206-71760	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/SE 03/00925	International filing date (day/month/year) 05.06.2003	Priority date (day/month/year) 05.07.2002
International Patent Classification (IPC) or both national classification and IPC A01C7/00		
Applicant VÄDERSTAD-VERKEN AB et al.		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 15.12.2003	Date of completion of this report 24.09.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Johansson, K Telephone No. +49 89 2399-2091 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/SE 03/00925

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-31 as originally filed

Drawings, Sheets

1/33-33/33 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-3,27,30,31
Inventive step (IS)	Yes: Claims	
	No: Claims	4-26,28,29
Industrial applicability (IA)	Yes: Claims	1-31
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1). The present application does not meet the requirements of Article 33(2) PCT because the subject matter of claim 1 is not new.
 - a). The document US-A-4,403,713 discloses an apparatus for discrete distribution of granules comprising a path forming device having an inlet 27 adapted to be associated with a granules container 1 of an agricultural machine and an outlet 38 associated with a coulter of the agricultural machine. Said path is defined by one wall 15, 16 extending on either side of and along a part of the extension of said path, wherein said path is formed about a vertical axis, see col. 6 line 10 to col. 7 line 13 and fig. 1.
 - b). The features of the first alternative embodiment defined in claim 2 and the rotation arrangement of the distribution member defined in claim 3 are also known from the cited document.
 - c). The agricultural machine according to claim 31 comprising an apparatus according to claim 1 is known from the cited document.
 - d). In the words of claim 27 the document US-A-3,195,485 discloses an agricultural apparatus for discrete distribution of seed comprising a housing 46a, an inlet member 92 of said housing associated with a seed container of an agricultural machine, an outlet member 70a of said housing associated with a coulter of the agricultural machine, a first distribution member 96 having an annular periphery and a central axis 100, wherein said distribution member has at partly a downward sloping surface from said central axis towards an inside wall of the housing and a second distribution member 98 arranged downstream the first distributing member 96, see col. 5 lines 16 to 59, figures 6 and 7. The peripheral circular cross-section of the first and the second distributing member has the same size, see figures 6 and 7. Thus, the features specified in claims 27 and 30 lack novelty.
- 2). The remaining dependent claims contain features which are regarded as design details adding nothing inventive to the subject matter of claims 1 and 27. Consequently, these claims lack an inventive step.